

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ROOSEVELT CARTER,

Petitioner,

VS.

NATHANIEL QUARTERMAN,

Respondent.

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CIVIL ACTION NO. C-07-114

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
ON RESPONDENT'S MOTION FOR SUMMARY JUDGMENT

On August 6, 2007, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that respondent's motion for summary judgment (D.E. 28) be granted and that petitioner's petition for writ of habeas corpus be dismissed with prejudice. The Memorandum and Recommendation further recommended that petitioner be denied a certificate of appealability. On August 23, 2007, petitioner filed a response in opposition to respondent's motion for summary judgment which the Court will construe as Objections to the Magistrate's Recommendations.


Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and petitioner's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson*, 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that respondent's motion for summary judgment is granted and petitioner's petition for writ of habeas corpus is dismissed. Petitioner is denied a

certificate of appealability.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 6th day of November, 2007.



Janis Graham Jack
United States District Judge